

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EPHESIAN JOHNNY FRANKLIN,

Plaintiff,

-against-

SHAWN COREY CARTER, ET AL.,

Defendants.

25-CV-231 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who proceeding *pro se* and *in forma pauperis* (“IFP”), has filed two motions for summary judgment, and two motions for “emergency procedures.” (ECF 5, 7, 9, 11.)

Under 28 U.S.C. § 1915(e)(2)(B), all cases filed IFP undergo a screening process to determine whether the action is “frivolous or malicious,” “fails to state a claim on which relief may be granted,” or “seeks monetary relief against a defendant who is immune from such relief.” *Id.* Because Plaintiff’s complaint has not yet been screened, the Court denies the motions without prejudice as premature, and the Clerk of Court is directed to terminate them. (ECF 3, 4, 11.)

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: May 30, 2025  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge